

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HANDHELD AUDIOMETRIC DEVICE AND METHOD OF TESTING HEARING**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| | | | Priority Claimed | |
|-------------|-----------------------------|-----------------------------|------------------------------|-----------------------------|
| <u>NONE</u> | <u> </u> | <u> </u> | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| (Number) | (Country) | (Day/Month/Year Filed) | | |
| <u>NONE</u> | <u> </u> | <u> </u> | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| (Number) | (Country) | (Day/Month/Year Filed) | | |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| | |
|-----------------------------|-----------------------------|
| <u>60/131,542</u> | <u>April 29, 1999</u> |
| Application Number | Filing Date |
| <u> </u> | <u> </u> |
| Application Number | Filing Date |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal

Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/US00/11389

(Application Number)

April 28, 2000

(Filing Date)

Abandoned - Petition for Revival Filed

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Philip B. Polster, Reg. No. 16,554, Frederick M. Woodruff, Reg. No. 15,301, J. Philip Polster, Reg. No. 24,739, Lionel L. Lucchesi, Reg. No. 25,891, William G. Bruns, Reg. No. 19,541, Edward A. Boeschstein, Reg. No. 22,986, William B. Cunningham, Jr., Reg. No. 26,155, Ralph B. Brick, Reg. No. 17,444, McPherson D. Moore, Reg. No. 28,449, J. Joseph Muller, Reg. No. 28,450, , Jonathan P. Soifer, Reg. No. 34,932, Ned W. Randle, Reg. No. 35,989, Martha A. Michaels, Reg. No. 20,453, Mark E. Books, Reg. No. 40,918, Catherine W. Wall, Reg. No. 42,209, David H. Chervitz, Reg. No. 32,820, Ronald W. Hind, Reg. No. 24,643, Tara A. Nealy, Reg. No. 42,927 and Nelson D. Nolte, Reg. No. 42,938.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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